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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

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DWIGHT BROWN,

Plaintiff,

v.

CVS PHARMACY, SANDY POLICE  
DEPARTMENT, ADC COUNTY JAIL,  
and SHERIFF DEPARTMENT,

Defendants.

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

Case No. 2:21-cv-00375-JNP-DBP

Judge Jill N. Parrish

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Magistrate Judge Dustin B. Pead issued a Report and Recommendation that the court dismiss plaintiff Dwight Brown's action without prejudice. Judge Pead notified Brown that a failure to file a timely objection to his recommendation could waive any objections to it. No objection was filed within the allotted time.

Because Brown did not object to the Report and Recommendation, any argument that it was in error has been waived. *See United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1060 (10th Cir. 1996). The court will decline to apply the waiver rule only if "the interests of justice so dictate." *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991). The court has reviewed the Report and Recommendation and concludes it is not clearly erroneous. Thus, the court finds that the interests of justice do not warrant deviation from the waiver rule and ADOPTS IN FULL the Report and Recommendation.

Accordingly, the court ORDERS as follows:

1. The Report and Recommendation, ECF No. 12, is ADOPTED IN FULL.
2. The court DISMISSES this action WITHOUT PREJUDICE.

**DATED** October 27, 2021.

BY THE COURT:

A handwritten signature in purple ink, reading "Jill N. Parrish", is written over a horizontal line.

JILL N. PARRISH  
United States District Judge